



**General Assembly**

Distr.  
LIMITED

A/HRC/WG.6/2/L.8  
15 May 2008

Original: ENGLISH

---

HUMAN RIGHTS COUNCIL  
Working Group on the Universal Periodic Review  
Second session  
Geneva, 5-19 May 2008

**DRAFT REPORT OF THE WORKING GROUP ON THE  
UNIVERSAL PERIODIC REVIEW**

**Pakistan \***

---

\* The final document will be issued under document symbol A/HRC/8/42.

## CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Introduction .....	1 - 4	3
I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS .....	5 -105	3
A. Presentation by the State under review .....	5 - 14	3
B. Interactive dialogue and responses by the State under review .....	15 -105	5
II. CONCLUSIONS AND/OR RECOMMENDATIONS .....	106 -109	17

## Annex

Composition of the delegation.....	22
------------------------------------	----

## **Introduction**

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its second session from 5 to 19 May 2008. The review of Pakistan was held at the 6th meeting on 8 May 2008. The delegation of Pakistan was headed by H.E. Ms. Fauzia Wahab, Member of the National Assembly. For the composition of the delegation, composed of 10 members, see annex below. At its 10th meeting held on 14 May 2008, the Working Group adopted the present report on Pakistan.
2. On 28 February 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Pakistan: Azerbaijan, Saudi Arabia and Ghana.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Pakistan:
  - (a) A national report submitted in accordance with paragraph 15 (a) (A/HRC/WG.6/2/PAK/1);
  - (b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR), in accordance with paragraph 15 (b) (A/HRC/WG.6/2/PAK/2);
  - (c) A summary prepared by OHCHR, in accordance with paragraph 15 (c) (A/HRC/WG.6/2/PAK/3).
4. A list of questions prepared in advance by Canada, Denmark, Latvia, Sweden, the United Kingdom of Great Britain and Northern Ireland, Germany and the Netherlands, and was transmitted to Pakistan through the troika. These questions are available on the extranet of the Universal Periodic Review.

## **I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS**

### **A. Presentation by the State under review**

5. At the 6th meeting, on 8 May 2008, H.E. Ms. Fauzia Wahab, Member of the National Assembly introduced the national report. Pakistan noted that its creation was the result of Muslim renaissance in South Asia in the first half of the twentieth century, which led to a vision based on a modern, moderate and democratic polity that would uphold all human rights and foster respect for the rights of women and minorities. Pakistan's Constitution is built on the principle of equal rights and equal treatment of all citizens without distinction, guarantees fundamental rights and freedoms, includes economic and political justice, independence of the judiciary, prohibits trafficking of human beings, contains provisions for the representation and participation of women, the rights and interests of minorities, as well as just and humane conditions of work.
6. Pakistan is a state party to several human rights instruments and, consistent with its pledges made to the Human Rights Council, at the time of its election, it ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) and signed the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) in April 2008. Elaborate groundwork has been done for the establishment of an independent Human Rights Commission, which will be established in accordance with the Paris Principles. A decision in this regard by the Federal Cabinet is on the anvil. Pakistan has a Ministry of Human Rights which monitors and addresses human rights violations. In addition, the core Human Rights Education Curriculum is being incorporated in different subjects at school.
7. Pakistan has recently completed its transition to full democracy. Tribute was paid to Mohtarma Benazir Bhutto, who became victim of a cowardly act of terrorism, for her life long struggle and contribution to uphold the principles of human rights and democracy. Pakistan noted that the transition to democracy augurs well and that the process of coalition building is complete.

Pakistan highlighted that accountability and transparency were important pillars of their society and that there was a need to create necessary checks and balances between national institutions.

Regarding the judges of the higher judiciary who have been released from detention, Pakistan noted that a committee of experts was looking into the question of their restoration.

8. Pakistan highlighted that, in the past five years, terrorism and extremism have endangered national security and violated the human rights of its citizens, (figures relating to deaths and injuries by its security forces in the global fight against terrorism were provided). It stated that strong military action was not enough to win the war on terror, and that the solutions lie in the promotion of democratic values, political and economic opportunities and strengthening the rule of law. Pakistan stated that it was focusing on tribal areas, and pursuing the reform of *Maddrasahs*. In addition, Pakistan noted that its security forces were trained in international human rights law and necessary precautions were taken to avoid collateral damage and civilian casualties as well as access to prisons and detainees was granted to ICRC. It will, however, investigate and remedy any alleged human rights violations in the pursuit of the war on terrorism.

9. Pakistan highlighted its wish to create a citizen-centric society and government and that it has developed together with a market oriented economy a welfare state with safety nets for the under-privileged and the poor. Government's resolve to fight violence and terror, generate productive employment and ensure good governance by providing basic facilities to the common man was reiterated. Noting the considerable decrease in poverty in recent years, it stated that 25 per cent of the population still lives below the poverty line. The reduction of poverty being an absolute priority, Pakistan highlighted measures that would be carried out in the health, education and food sectors. Pakistan stated that the challenge was to translate its promising economic performance in poverty alleviation, health and education improvement as well as employment and housing.

10. To deal with the gender issue, priority areas highlighted include: (a) mainstreaming political and economic empowerment of women. Providing figures relating to the participation of women, inter alia in State institutions, Pakistan stated that a national employment policy for women would be enunciated, aimed at facilitating job creation and women's wider participation in the economy; (b) to put an end to "honour killings", through faithful and effective application of the 2004 Criminal Law Act, which was a step taken in the right direction; (c) to remove abuses of the *Haddood* laws that violate women's rights, noting the 2006 Prevention of Anti-Women practices (Criminal Law) Act, designed to end these practices and 2006 Amendments, which bring the laws relating to *Zina* and *Qazf* in line with the objectives of the Constitution and the injunctions of Islam; (d) to take legal and administrative measures to attack domestic violence and, (e) to build the capacity of the Ministry of Women Development.

11. Pakistan noted its strong focus on the protection of the rights of children. It highlighted that it was one of the co-initiators of the 1990 World Summit for Children that led to the accelerated ratification of the Convention on the Rights of the Child. It's National Commission for Child Welfare and Development together with the ILO and UNICEF has taken a number of steps for the progressive elimination of child labour and their rehabilitation. Pakistan also referred to its strong segment of youth population (over 60 per cent under the age of 25) and expressed commitment to utilize this potential aptly by massively investing in their basic, higher as well as technical and vocational education.

12. On the issue of minorities, Pakistan noted that in addition to being an integral part of the society and enjoying equal civil and political rights, the new Government had expressed its resolve to continue to safeguard their rights and ensure their representation in all national institutions, through affirmative action, as well as review statutes which lead to discrimination. In relation to labour, Pakistan noted that it had announced the restoration of labour unions and was examining any laws that undermine the interest of labour, to bring them in line with the ILO legal framework. It also referred to the recent increase in the basic pay scales.

13. Pakistan also highlighted the vibrancy and freeness of its media, and noted that some of the restrictions imposed after the November 2007 Emergency Orders had been removed. It noted that it was working towards making the Pakistan Electronic Media Regulatory Authority an effective tool for the promotion and protection of freedom of opinion and expression. Finally, Pakistan noted its role in hosting millions of Afghan refugees over the past 28 years, of which today there are still more than 2.5 millions on its soil, and that despite not being a signatory of the 1951 Convention relating to the Status of Refugees, it had abided by all of its provisions. It was now working with UNHCR to look into the possibility of accession to this Convention.

14. Pakistan concluded by stressing the importance of its good normative framework, elaborate administrative infrastructure, adequate human resource base and vibrant civil society that were all positive indicators paving the way for continued promotion and protection of human rights. The new democratic Government too was committed to put the rights holder at the centre of its national endeavours aimed at political, social and economic development of Pakistan.

### **B. Interactive dialogue and responses by the State under review**

15. During the ensuing interactive dialogue, statements were made by 70 delegations. A number of delegations praised Pakistan for the comprehensive nature of its report, which outlined progress and challenges encountered. A number of delegations welcomed Pakistan's transition to a full democracy including the 2008 parliamentary elections; its ratification of the ICESCR, and signing of the ICCPR and of the CAT; progress in promoting and protecting human rights despite a number of challenges including natural disasters; efforts in promoting economic growth; efforts to combat terrorism; and efforts towards the advancement of women's rights, legal and social status.

16. Palestine welcomed that the speaker of the Parliament is a woman, and that Pakistan has 11 women ambassadors in Europe alone.

17. China noted the efforts in economic development and poverty reduction, the achievements in employment and literacy, as well as actions taken regarding women, children and the handicapped. In light of the fact that Pakistan is a Muslim country, the Representative asked how Pakistan protects the right of minorities.

18. Algeria noted that the Committee on the Elimination of Discrimination against Women (CEDAW) congratulated Pakistan regarding a number of actions taken for the protection of women's rights and lauded Pakistan on the number of women in decision-making positions. Noting that Pakistan is a frontline State in fighting terrorism and, as a result of these activities, has faced domestic backlash, Algeria enquired about Pakistan's "multi-pronged" counter-terrorism strategy. Algeria recommended to Pakistan to (a) continue to promote the gender equality for women, especially with regard to developing education and employment, and (b) continue its counter-terrorism efforts while calling on Member States to provide Pakistan with adequate support and understand the country's constraints.

19. Indonesia welcomed the protection of vulnerable groups, as evidenced in the affirmative action undertaken through the National Policy for Development and Empowerment of Women, which also includes a zero tolerance policy for violence against women, and noted the establishment of strategies by the Ministry of Minorities intended to safeguard the social, religious and cultural rights of minorities.

20. Tunisia noted the success of the democratization process which led to the elections and noted the efforts made towards the promote development and human rights. Tunisia recommended to Pakistan to pursue this route towards the protection of human rights and to be encouraged by the international community, more particularly the Human Rights Council.

21. Malaysia noted the efforts in the fields of education, health and rights of women and children. Highlighting that Pakistan is scheduled to achieve universal primary education by 2015,

Malaysia enquired about measures found in the National Plan of Action for Education for All and the role of *Madrassas* in the plan.

22. The Democratic People's Republic of Korea noted the recent improvement in the empowerment of women and encouraged the Government to continue to make efforts for human rights protection overcoming all challenges ahead. It was interested in receiving more detailed information on the technical and vocational education under Pakistan's National Education Policy of 1998-2010.

23. Canada noted a number of remaining issues: violence against women; the treatment of the Ahmadiya minority, the Constitution which outlaws the Ahmadi religion and the Penal Code which allows the imprisonment of members of the Quadiani, Lhaori and Ahmadi religions for preaching faith; the blasphemy laws criminalizing insults to the name of the prophet Mohammed and in some cases the death penalty. Canada recommended (a) the adoption of measures to ensure that victims have access to protection and redress, that perpetrators are prosecuted and punished, and that gender sensitivity training be provided to relevant officials; (b) to repeal provisions of the Hadood Ordinances that criminalize non-marital consensual sex and fail to recognize marital rape; (c) to remove restrictions on religion or belief and amend legislation that discriminates against persons belonging to minorities, including the Quadiani, Lhaori and Ahmadi religions; (d) with regard to efforts to counter threats of terrorism and human rights violations, to implement international human rights obligations within Federally Administered Tribal Areas and refrain from detention that contravenes international standards of due process; (e) to re-instate the dismissed members of the judiciary and take measures to re-establish an independent judiciary; (f) the decriminalization of defamation and (g) the review of laws and measures to ensure that restrictions imposed on freedom of expression are in conformity with the ICCPR to which it is signatory.

24. Chile recommended to Pakistan to speed up the ratification of ICCPR and CAT. It noted the efforts made to empower women, and its policy of zero tolerance in the field of violence against women, stating that it is fundamental that the law criminalizing honour killings be applied and acts punished. Chile asked about actions to ensure freedom of worship and the integrity of the religious communities.

25. Slovenia welcomed the 2000 amendment of the Citizenship Act of 1951, providing nationality to the children of foreign spouses, and the Amendment Act to facilitate the prosecution of "honour killings," but expressed concerns about its effective implementation. It asked, also by way of recommendation, about concrete steps aimed at aligning the prohibition of discrimination contained in the Constitution with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. Slovenia recommended adapting the labour legislation and aligning it with the provisions of ILO conventions and enquired about the reasons for adopting the Industrial Relations ordinance, which partially restricts recognized rights to union membership and collective bargaining, and about plans to harmonize national legislation with international obligations in the field of labour laws. It also recommended to systematically and continuously integrate a gender perspective in the follow-up process to the review, in line with Human Rights Council resolution 5/1.

26. Saudia Arabia noted that Pakistan had been commended by both CEDAW and the Committee on the Rights of the Child on actions taken, and that although Pakistan is not a party to the 1951 Refugee Convention, its provisions are respected. It also noted the challenges faced, including being one of the first countries to be confronted by terrorism. It suggested that Pakistan's efforts in dealing with terrorism and in the field of human rights be recognized. Noting the decision taken to close camps and repatriate refugees, it asked for clarification regarding the application of the principle of voluntary repatriation of refugees.

27. Referencing Pakistan's already adopted legal instruments to eradicate sexual abuse and trafficking and the "Child Protection Bill", Belgium noted that trafficking and sexual abuse of children is widespread and largely unaddressed. Belgium enquired about what concrete measures Pakistan will take to enforce current laws, and recommended (a) that Pakistan address more effectively address the issues of child abuse, child trafficking, sexual exploitation and involuntary servitude by strict enforcement of national legislation adopted in conformity with relevant international instruments, and through the adoption and implementation of a comprehensive action plan to combat these issues, including awareness- raising and education of parents, law enforcement staff and members of the judiciary. Belgium stated that due to abuse of the blasphemy law, a disproportional amount of non-Muslim minorities are accused, and, despite legal amendments, are arrested, charged and subjected to lengthy detentions before allegations are investigated. Belgium recommended that (b) Pakistan review the legislation on blasphemy to align it with the principles of freedom of thought, conscience and religion and inter alia relevant obligations under the ICCPR. Meanwhile, enforcement has to respect international standards and must not have a discriminatory character.

28. The Holy See recommended that Pakistan ratify ICCPR as soon as possible and subsequently adjust its national laws in accordance with its international obligations. It stated that the blasphemy laws, by providing only a vague definition of the offence, requiring no evidence other than the accusation of one person, and being regularly misused by extremists to target religious minorities, are in violation of the ICCPR, and enquired about plans to bring them in line with the Covenant and the Constitution. Noting discrimination against minorities, it asked about plans to raise awareness among the population, the police and military forces about the fact that minorities have the same civil rights as all Pakistanis.

29. South Africa noted the growth of the GDP and stated that this might contribute to the progressive realization of economic, social and cultural rights. It asked about Pakistan's strategies and programmes regarding the issue of the deep-rooted tribal and traditional mind sets as constraints to women's empowerment. Noting that illiteracy is major challenge, South Africa asked about measures to ensure access to education at all levels to the girl child. It also asked about Pakistan's intention to sign the Rome Statute of the International Criminal Court. South Africa recommended that Pakistan enhance efforts to provide adequate housing and address the identified backlog in this regard.

30. The United Kingdom of Great Britain and Northern Ireland enquired about the status of the bill on the creation of a national commission to monitor human rights violations and (a) recommended that the commission conform to the Paris Principles. The United Kingdom enquired about the practical measures planned to ensure ICESCR, ICCPR and CAT are each ratified and implemented, ensuring discriminatory laws are repealed and rights of non-Muslim minorities safeguarded. Specifically, once the treaties are ratified, the United Kingdom asked about what steps Pakistan will take to investigate arbitrary arrests, enforced disappearances, extrajudicial killings and torture perpetrated by security forces. The United Kingdom asked about the steps Pakistan is taking to implement the General Assembly's moratorium on the death penalty and (b) recommended Pakistan review the death penalty with the intention of introducing a moratorium and abolishing it. (c) Welcoming the 2006 Women's Protection Act, the United Kingdom recommended the process continue by ensuring its full compatibility with CEDAW, and (d) recommended repealing Hadood and Zina Ordinances; and (e) that civil society be involved in follow-up to the Universal Periodic Review process.

31. Portugal welcomed the Government's cooperation with the Special Rapporteur on violence against women during her visit, as well as the recognition that incidents do take place on account of deep-rooted tribal and traditional mindsets and recommended that Pakistan maintain its commitment to overcome such barriers. While welcoming the National Action Plan and the Gender

Reform Action Plan, Portugal asked about mechanisms to monitor and ensure their implementation. It also enquired about specific measures that have been put in place to stop the practice of 'honour' killings of women and prevent the domestic violence against women. Portugal recommended that Pakistan follow up on the CEDAW recommendation to withdraw its declaration that subjects Convention obligations to the Constitution. Portugal recommended that Pakistan give the most serious consideration to allowing the Special Rapporteurs that have requested to visit the country to do so. Portugal expressed concern about the situation of religious minorities and asked about concrete steps taken to protect them from discrimination.

32. Kuwait noted the efforts to combat terrorism, and asked how these measures were in conformity with basic human rights. Regarding the fact that Pakistan is home to the largest number of refugees in the world, Kuwait asked what the major challenges are faced in this context. Kuwait recommended including amongst the recommendations the positive reaction of Pakistan in its efforts to confront this humanitarian problem which could be an example for other countries.

33. Mexico recommended the ratification of ICCPR and CAT and recommended that Pakistan accept visits requested by Special Procedures, responds to communications and questionnaires sent by Special Procedures. It recommended that Pakistan continue with its appropriate measures to eradicate discrimination and violence against women, including domestic violence and would appeal to it to strengthen existing measures to thoroughly investigate crimes against women. Mexico recommended that Pakistan ratify the Rome Statute, the International Convention on the Protection of All Persons from Enforced Disappearance and the 1977 Protocols Additional to the Geneva Conventions of 12 August 1949. Mexico is aware of the challenges faced by Pakistan in combating terrorism, and appeals to it that in so doing, it strictly adheres to international human rights, humanitarian and refugee law. Mexico requested information on the status of the 1951 Refugee Convention and its 1967 Protocol.

34. Japan wished to learn what measures are planned to secure freedom of expression and freedom of association. Japan appreciated the launching of various policy measures for the protection of women's rights and asked what action is planned to implement such measures and further monitor them.

35. Oman asked to what degree civil society organizations take part in the drafting of national plans of action in the field of human rights, and recommended that Pakistan pursue its efforts in the promotion and enhancement of human rights by taking the necessary measures to achieve this goal.

36. Qatar noted the important measures taken to grant protection to minorities, women and children, noting in particular measures taken against trafficking and pornography, as well as its national policy for the decent living of the disabled.

37. France welcomed the launching of a procedure to establish a national institution and asked about steps to ensure that its status is in accordance with the Paris Principles. France enquired whether Pakistan envisages the ratification of the International Convention on the Protection of All Persons from Enforced Disappearance and recommended that it do so. It asked whether Pakistan envisages further amending the Blasphemy Act; and enquired about steps aimed at ensuring the independence of the judiciary and fostering access for all to justice. Lastly, France asked what steps Pakistan intends to take pursuant to the General Assembly resolution on a universal moratorium on the use of the death penalty.

38. Senegal encouraged Pakistan to spare no efforts to meet the challenges associated with security as was done for the disasters of 2005 and 2007. It asked if Pakistan would consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

39. The Philippines was encouraged by the steady progress of human rights, despite daunting and persistent faced, such as violent extremism and natural disasters. It encouraged Pakistan to ratify the treaties and protocols that have not yet been ratified and to continue to combat violence against women and promote the rights children, regarding which it notes the pending Child Protection Bill in Parliament and the Child protection policy being formulated, which it hopes will soon be adopted. Finally, it asked for information on the work of the District Interfaith Committees.

40. Luxembourg recommended that Pakistan bring an end to inequality between men and women, including with regard to access to property; continue to increase substantially public spending on health in order to increase access to health care; to take effective measures to allow women, in particular in rural areas, to have access to health care, education, clean water and sanitation; and to take measures to eliminate discrimination and severe poverty experienced by the castes. It asked about measures to end discrimination between men and women, in particular in connection with the right to property; and initiatives envisaged eliminating discrimination and acute poverty, from which the castes are suffering.

41. Turkey noted the Government's plans to reform the justice and education systems and to ensure freedom of media and the 100-day programme. It welcomed the legal reforms aimed at the elimination of discrimination and gender equality, including the Criminal Law Amendment Act to facilitate the prosecution of honor killings as well as the Protection of Women Act 2006 amending the some of the *Haddood* Ordinances. It also noted the Child Protection Bill and the Child Protection Policy, including provisions for abolishing harmful traditional practice, revising the definition of the child and amending the minimum age of criminal responsibility. Turkey encouraged Pakistan to pursue these reforms and asked for an update on these initiatives.

42. The Russian Federation recognized the work that remains to be done to bring national legislation in line with the new international commitments, and noted with appreciation the presence of representatives of Parliament, who will work on these issues. It asked how the draft law on the protection of children which will prohibit corporal punishment will fit with the provisions of the Criminal Code which allow corporal punishment in schools and also asked about steps taken by Pakistan to provide the same status to ethnic and linguistic groups as minorities, as recommended by the Committee on the Elimination of Racial Discrimination (CERD).

43. Switzerland recommended making every effort to ratify ICCPR and CAT. Switzerland noted Pakistan's priority objectives to promote women's rights and welcomed the joining of CEDAW and legal provision to strengthen these rights. Switzerland recommended (a) doing everything possible to prevent early and forced marriage, and to recognize in its legislation rape within marriage. Switzerland encouraged Pakistan to (b) implement the draft law on the protection of children rapidly and to speed up the implementation of the 2000 edict for justice for minors. Switzerland stated that it would be in favour of universal elimination of the death penalty, which is still broadly applied in Pakistan. Recalling the General Assembly resolution of 18 December 2007, it recommended (c) declaring an immediate moratorium on all executions and wished Pakistan to move towards abolishing the death penalty, and (d) by recalling that the rules of fair trial are fundamental, Switzerland called on Pakistan to respect these as diligently as possible.

44. Cuba noted the National Plan of Action for Education. It noted the efforts made regarding child labor and indicated that these could serve as best practice for countries with similar problems, and in this regard, it requested information on the Government's strategy to eliminate child labour.

45. Belarus recommended that Pakistan continue its active efforts to de-politicize human rights in the United Nations system, and create the conditions for consideration of human rights on the basis of equality, mutual respect and dialogue. Belarus also noted that despite major natural disasters and its resistance to terrorism Pakistan is nonetheless pursuing an active policy to ensure human rights, including access to justice and protecting economic rights.

46. Pakistan responded by themes to the questions raised. On the issue of the blasphemy law, the Representative (Nawabzada Malik Amad) noted that the Constitution does not allow for discrimination on the basis of religion itself. Similarly, the penal code contains provisions for the proscription of actions and statements that would offend all religions, not just Islam, and these laws apply to all. However, as these laws can be abused, the Government has introduced administrative checks in the system, such as those introduced in 2004, the aim of which is to, inter alia, regulate the investigation procedure and to deter the filing of cases under the blasphemy law.

47. The Representative stated that the issue of the death penalty relates to the criminal justice system and does not contradict any of the universally recognized human rights. Pakistani law recognizes the death penalty for a number of serious crimes, but it may only be imposed after exhaustion of all remedies, by a court of law after due process. A list of the review mechanisms was also provided. It was also stated that the Government was working on a proposal to commute the death penalty to life imprisonment, and a decision is expected shortly.

48. Regarding the issue of gender equality, the Representative (Ms. Mahreen Bhutto) noted that the rights of women and equality are recognized in the Constitution. Pakistan has signed the ILO N. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, and there is no discrimination in relation to testimony between men and women. It was noted that women held important positions in society. However, efforts to empower them further were continuing. The Government is mindful of deep-rooted patriarchal attitudes and traditions, and is working to combat them through a number of measures, including a change in the curriculum to give a realistic picture of women's role in society. Religious scholars were being taken on board to help address this issue.

49. Regarding the issue of non-marital consensual sex, she highlighted that this was not recognized as a human right and that every society has its norms and values; freedoms and limits are derived there from. In Pakistan, non-marital consensual sex falls under the definition of adultery and dealt with under the *Haddood* laws. The offence can only be proved by confession, or with four witnesses, as it is considered an act against society.

50. In relation to honour killings and violence against women, the Representative noted that the Government was mindful of the issue, as shown by the measures taken both through the adoption of legislation and amendments thereto (as already highlighted in the introductory statement) and the advocacy and awareness campaigns undertaken. It is considered as premeditated murder and dealt with accordingly. Regarding the protection of women's rights, in addition to the Acts regarding *Haddood* and *Zina* already outlined in the introduction, she noted that the Government was aware and resolved to further reform through empowering the Ministry of Women's Development. The Representative noted that the implementation and monitoring of the Convention on the Elimination of All Forms of Discrimination Against Women was strategized by the Ministry of Women's Development with the assistance of foreign donors and experts.

51. The Representative (Ms. Wahab) noted that there was a very wrong perception of the treatment of minorities. Re-stating what was said in the introductory statement, and noting that there had been a few incidents, she added that minorities represent only 3 percent of the total population, that many members of the Christian and Hindu minorities hold important positions, and noted that the migration of minorities was not caused by discrimination, but by better opportunities elsewhere.

52. Regarding the education sector, Pakistan highlighted that both primary and secondary education are free. It also noted that when the State came into being, the literacy rate was at 13 percent and that it is currently at over 56 percent; that it has instituted vocational training throughout the country, aiming to make young people as skilled as possible. It highlighted nonetheless its need to improve the teaching skills of teachers, while noting programmes for

reorientation and updated curriculum assistance. It noted that any assistance by the international community in the field would be welcome.

53. Regarding the issue of the independence of the judiciary and access to justice, the Representative highlighted the importance of a vibrant civil society and political parties in the March 2007 lawyers' movement. She noted a few problems, including that of the restoration of the lawyers and judges, already released from detention, which is currently being examined. Pakistan re-stated that the National Human Rights Commission was in the process of being created and noted as challenges ensuring true independence and diversity of opinion.

54. On the issue of child labour, Pakistan re-stated that it was aware of the problem, the reason for which lies mainly in poverty, and added that this problem exists mainly in the informal sector, its incidence in the formal sector being negligible. The Representative noted a number of measures taken to eliminate this issue, including its elimination from hazardous industries i.e. surgical, tanneries, football and carpets.

55. Norway recommended a swift ratification of ICCPR and CAT and enactment of implementing legislation to ensure that ICCPR, CAT and ICESCR become part of the domestic law. It recommended Pakistan to consider issuing standing invitations to all special procedures. It drew attention to the fact that journalists work under constant threat of attack both from the security forces and militants, and that they are regularly subjected to torture, kidnapping, illegal detention, beatings, and death threats from the State, insurgents and opposition political parties and requested information on initiatives to address this concern. Norway recommended that the Government investigate and prosecute both government officials and other perpetrators of acts against members of the media.

56. Jordan noted Pakistan's progress in combating poverty and promoting freedom of expression, including of the press, as well as achievements in the area of national reconciliation, and urged Pakistan to continue along this path.

57. Noting Pakistan's legislative and institutional promotion of gender equality, Austria requested information on the status and content of the "Prevention of Anti-Women Practices Criminal Law (Amendment) Bill (2007)". Austria recommended that further measures be adopted to overcome stereotypes, constitutional and legal guarantees reinforced and implemented, and the human rights of women safeguarded. Austria requested information on the situation of the internally displaced, particularly in the Balochistan province. Austria recommended to Pakistan to adopt specific measures to safeguard the human rights of IDPs. Austria enquired about Pakistan's application of the death penalty, particularly in relation to blasphemy and adultery.

58. The United Arab Emirates noted Pakistan's efforts to improve the situation and the standard of living of its people and noted results in reducing poverty and illiteracy. The United Arab Emirates recommended that these achievements be emulated by in other countries and enquired about the Women's Commission established in 2000.

59. Azerbaijan noted the National Plan of Action for Education for All, the Ten-Year Perspective Development Plan 2001-2011 and progress in women's rights. It requested Pakistan to share lessons learned on tackling refugee-related issues and more information on the District Interfaith Harmony Committees.

60. Bahrain recognized the progress made in a number of areas, including health and education. It asked for information regarding freedom of information and the media.

61. The Netherlands recognized that Pakistan has made progress regarding the situation of women in its society by introducing the Women's Protection Act of 2006. Netherlands recommended that Pakistan incorporate ICESCR and ICCPR and other treaties to which Pakistan is a party, such as CEDAW and CRC, into domestic legislation and that it ensure effective

implementation and enforcement of such legislation. It also recommended that Pakistan restore as soon as possible all fundamental freedoms, as guaranteed by Pakistan's Constitution, that were suspended with the imposition of the state of emergency in November and December 2007 with the understanding that this implies reconfirming the independence of the judiciary and cancelling all remaining charges to human rights defenders.

62. The Czech Republic noted reports of illegal *jirgas* that still issue calls for violence against women and requested elaboration on the measures to eliminate these calls and to punish those responsible. It recommended that Pakistan adopt as a matter of priority further legislative and practical measures to (a) combat violence against women, (b) to decriminalize adultery and non-marital consensual sex, (c) raise public awareness about the laws, better train police and other authorities to deal with victims of sexual assault and other violence against women, ensure victims' access to justice, especially by adopting rules of evidence that give equal weight to testimony given by men and women, and improve support services such as shelters and burn units for women; (d) to ensure punishment for perpetrators of violence against women, thoroughly investigate and punish members and leaders of illegal *jirgas* for their calls to violence against women; (e) including by prohibiting in all circumstances the use of the provisions of the *Qisas* and *Diyat* law in cases of honour killings, and (f) to issue and implement a standing invitation to special procedures, enable the already requested visits and to ratify as a matter of priority the ICCPR, CAT and the Optional Protocol thereto.

63. Regarding gender equality and education, Bangladesh encouraged Pakistan to continue improving the situation of women through "pro-women" policies and inquired about the measures adopted to modernize the educational system of *madrassas*.

64. Brazil enquired about the main priorities in Pakistan's efforts to fully implement ICESCR. It also asked about steps taken in combating racism and all forms of discrimination, including discrimination against women. It asked about policy, steps taken and forward-looking measures regarding the implementation of CAT, and the situation of human rights defenders. Brazil enquired about the main steps and challenges to guarantee the rights of child. Brazil recommended that Pakistan consider acceding to the Convention on Enforced Disappearances; to continue its efforts towards ratifying and implementing ICCPR, ICESCR and CAT; and to consider establishing a national policy of protection of human rights defenders, which could focus on a national system for protection of witnesses and human rights defenders

65. Panama welcomed the ratification of the ILO Convention N. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value and expressed the hope that expected results in the area of access to drinking water would be met. Panama welcomed the introduction of human rights in the school curricula, including the theme of gender equality.

66. Nepal enquired how Pakistan intends to ensure that its high growth rate will benefit economic and social rights in the country.

67. Denmark referred to indications that the lower castes, Hindus officially known as Scheduled Castes (Dalits), are exposed to caste-based discrimination. It noted the absence of specific laws and measures prohibiting discrimination against Scheduled Castes. It asked about a proper legal framework to prevent discrimination on the basis of caste, descent and occupation. Denmark recommended (a) that Pakistan take specific and targeted measures to effectively prevent discrimination against Scheduled Castes; (b) the repeal of laws discriminating against non-Muslims, if any; and (c) that ICCPR and CAT be ratified as a matter of priority.

68. Sweden acknowledged the new "Criminal Law" and the 2006 "Anti- Women Practices Act, both intended to limit the consequences of the *Haddood* Ordinances. It noted Pakistan's acknowledgment that there are still accounts of honour killings, acid attacks and forced marriages and that redress for these crimes remains difficult. Sweden requested further elaboration on

measures to eliminate gender discrimination. It noted the well- documented cases of abuses by national security forces that seem to go unpunished, and asked for further elaboration on measures to combat impunity for the security forces. Sweden expressed the wish to see recommendations to the Government in both of these areas.

69. Referencing concerns raised by CEDAW and CERD, Germany noted Pakistani laws discriminate against women and the influence of non-State actors undermining the enjoyment of women's rights and enquired what measures Pakistan will take to address these issues. Germany recommended that Pakistan undertake a comprehensive review and revision of discriminatory legislation to achieve compliance with obligations under CEDAW. Noting concerns raised about the situation in prisons, particularly regarding facilities for female detainees and their children, juveniles, "under-trial prisoners", medical facilities and overcrowding, Germany inquired about measures to protect prisoner rights. Regarding *Jum'a* Sermons in Pakistani mosques being used to incite hatred and violence against various groups, Germany enquired about the measures Pakistan has taken to ensure respect for the law banning incitement to hatred.

70. Morocco welcomed progress made in regard to education, health, employment and women's protection, as well as efforts for other vulnerable groups, including children and the disabled. It noted that the creation of district committees for interfaith harmony is a measure that should be encouraged as a good practice. Morocco encouraged Pakistan to make progress regarding the ratification of ICESCR, the signature of ICCPR and of the 1951 Refugee Convention. Morocco also supported Pakistan's implicit request for international assistance for social sector programmes and requested information on the implementation of a national institution for human rights in Pakistan.

71. Ireland noted with satisfaction the release of human rights defenders detained during the state of emergency and commitments to establish an independent national human rights commission, and expressed the wish that the commission be compliant with the Paris Principles. Noting that the Special Representative of the Secretary-General on the situation of human rights defenders requested an invitation, Ireland recommended that Pakistan invite the Special Representative of the Secretary-General to conduct an independent visit; to effectively address the repressive effect of civil society monitoring procedures and anti-terrorism legislation on the operation of human rights defenders; and to combat impunity for attacks on human rights defenders, by effectively investigating allegations and by prosecuting those responsible.

72. Bhutan noted Pakistan's progress towards meeting the Millennium Development Goals in the education and health sectors. Noting Pakistan's terrain and remote populations, Bhutan enquired how geography has posed a challenge to meeting the Pakistani people's infrastructure needs and how the international community can support these efforts.

73. Sri Lanka indicated that it has a clear understanding of the Pakistani situation and roots of extremism and terrorism that have threatened Pakistan, which were the by-product of external factors.

74. Romania asked about intended steps to take to ensure effective implementation of commitments stemming from ICCPR, ICESCR and CAT. Noting reports of growing pressure from the Executive over the Judiciary, recommended Pakistan to ensure the independence of the judiciary, including through the establishment of strict rules and through a clear mechanism concerning the appointment and dismissal of judges.

75. While noting that Pakistan hosts one of the largest refugee populations, Nigeria welcomed that it has generally respected international protection principles, despite not being a party to the 1951 Refugee Convention. Nigeria invited Pakistan to share details about its plan to construct one million housing units per year.

76. Venezuela asked for additional information about efforts to set up an independent human rights institution empowered to investigate human rights violations. It also wanted to know more about the National Commission on the rights of women.
77. Singapore noted recent advances, such as improving the conditions of women and children. It welcomed the adoption of the Women's Protection Bill and Protection of Women (Criminal Laws Amendment) Act in 2006.
78. Latvia noted reports of poor prison conditions not meeting international standards, including overcrowding and lack of proper nutrition. It requested information on measures to improve them. Latvia encouraged stepping up cooperation with the Special Procedures as seven mandate holders have requested a visit. It also asked if Pakistan would be ready to extend a standing invitation to all mandate holders in the future.
79. Sudan recommended that Pakistan share how it has reduced poverty and mitigated the effects of food inflation.
80. The Syrian Arab Republic noted achievements such as the political empowerment of women, including the criminalizing of 'honour killings', the social insurance system, housing, and the provision of quality education. Syria drew attention to Pakistan's calm hosting of over 2.5 million Afghani refugees and requested more details about media reports indicating that Pakistan is considering the deportation or repatriation of some Afghani refugees.
81. Finland highlighted the concern of the Committee on the Rights of the Child regarding low public expenditure on education and that international aid in this area has not been used in an adequate way. It asked whether Pakistan is still committed to increasing funding for education. It recommended taking urgent measures to ensure that adequate resources are allocated for education. It also asked about plans and time scale to fulfill pledges to set up a National Human Rights Commission according to the Paris Principles.
82. The Republic of Korea noted steps taken regarding the protection of women's rights and the elimination of discrimination against women, and, in line with CEDAW, wanted to know what steps have been taken to ensure the effective implementation of these measures. In addition, it requested an update on the construction of the Lyari expressway. Finally, it recommended that Pakistan sign the 1951 Refugee Convention.
83. Greece noted that access to justice is limited due to the low level of literacy and the lack of knowledge of one's rights and asked about measures to facilitating access to justice. Referring to reports regarding restrictions imposed on the media and confiscation of equipment, Greece asked to what extent law enforcement agencies have been educated on human rights practices. Greece stated that the preferential treatment accorded to Muslim citizens presents a major impediment to freedom of religion and asked how Pakistan intends to effectively protect and satisfy the unimpeded exercise of freedom of religion of non-Muslim citizens and recommended Pakistan to do so. Finally, Greece asked how many reported cases of arbitrary detention and enforced disappearances of those suspected of links to terrorist groups have been investigated and whether those responsible have been identified.
84. Nicaragua noted efforts to increase employment and access to health and education and encouraged Pakistan to continue its endeavours to strengthen the system for the promotion and defence of all human rights, in particular those of women.
85. Zimbabwe noted the strides Pakistan has made in the promotion and protection of its citizen's human rights, specifically referring to Pakistan's economic policies.
86. Yemen commended Pakistan on efforts especially regarding the role of women in society and the rights of child. Yemen expressed concerns about security and police forces' practices and asked about measures to educate the security forces about human rights principles.

87. The Islamic Republic of Iran noted the cooperation with the United Nations mechanisms and Pakistan's commitment to establish an independent human rights institution. Iran encouraged the Government to increase its efforts and strengthen its policies in fighting terrorism; combating any manifestation of violence, torture, ill-treatment, economic exploitation and sexual abuse of women and children, combating trafficking, especially of women and children, and requested further information in this regard.

88. Italy wanted to know whether Pakistan intended to reduce the scope of offences for which the death penalty is provided and impose a moratorium. Italy recommended that Pakistan urgently adopt effective measures to address violation of children's rights, in particular child labour, prostitution and trafficking and to consider increasing the legal age for criminal responsibility. Italy also recommended to Pakistan to take steps towards the swift ratification of all core instruments of international human rights law and strengthening cooperation with international human rights mechanisms, in particular human rights special procedures.

89. Egypt commended Pakistan on steps taken to establish an independent national human rights institution, in fulfilment of its voluntary pledges, and hoped that this process will be concluded successfully in a timely manner. While noting that Pakistan has achieved considerable progress in its efforts to eliminate child labour, Egypt requested information on any persisting challenges. Egypt encouraged Pakistan to continue its efforts to promote and protect human rights and take all the necessary steps to this effect.

90. Australia noted the improvement of political freedoms and the Government's stated intention to lift restrictions on the freedom of the media. It encouraged the implementation of the obligations contained in ICCPR, ICESCR and CAT. It asked if Pakistan intended to ratify to the two Optional Protocols on the CRC, signed in 2001. It welcomed Pakistan's contributions to OHCHR but noted outstanding requests of special procedures and encouraged Pakistan to accept their visits.

91. Mauritius noted measures to uphold family values and to protect the rights of women and children, and highlighted investments in the field of education.

92. Albania encouraged and recommended to continue efforts to become a party to the seven basic human rights treaties. It noted that women are represented in economic, social and political life. Albania encouraged and recommended to Pakistan to strengthen the capacities of its law enforcement agencies to meet the challenges of its societies connected with crimes and instances that could arise as a result of traditional mentalities.

93. Colombia emphasized the importance of the adoption of a National Plan Action and the Plan of Action for Gender Reform and asked in which areas progress has been made.

94. New Zealand welcomed measures taken to release detained judges and intentions to work towards an independent judiciary, as well as media freedoms approaching levels similar to those before the state of emergency. It expressed concern regarding reports of violence against women and girls and noted the lack of specific legislation on domestic violence and that not all of the *Haddood* Ordinances have been repealed, which impact on the rights of women. It asked about steps to address this issue and recommended that Pakistan take action to introduce measures to prevent violence against women.

95. In response to the question raised regarding the Commission on Women's Rights, Pakistan stated that due to this Commission, many gaps between the NGO sector, women's organisations and the government were bridged. This Commission was formed to appease women who, during the mid 1980s, were extremely marginalized and were subjected to discriminatory laws by a discriminatory government at that time. The main aim was to bridge that gap, and to bring up issues which were condemned by the Government. The Commission thus raised these issues, rationalized

them and improved communication between government and the NGO sector. Pakistan then listed the terms of reference or mandate of this Commission and stated that it helped to eradicate some areas of tension between NGOs, women's organisations and the government.

96. Pakistan stated that it has an independent, vibrant media. Private as well as public TV/Radio channels (96 TV and 94 Radio) can say whatever they want. These channels broadcast about human rights issues and political issues, and actively engage Pakistani citizens who want to hear and take part in politics and political discussions. Pakistan then stated its intention to incorporate the ICESCR into domestic law and implement it, on priority.

97. Regarding *Madrasa* reforms Pakistan stated that there are 13,000-15,000 *madrassas* in the country, and it was wrong that this sector was ignored. The government is now very focused on them, the curriculum has been updated, and math, science, economics and history have been introduced. Pakistan indicated its hope that these reforms would have a positive impact on the students.

98. Pakistan then stated that there is a misconception that human rights defenders are being obstructed or not allowed to move freely. There are 5,000 human rights NGOs working in the country, many of which are very effective. Neither the government nor any other agency restricts their work. They can go wherever they like, check archives, and examine politics, without restriction. They submit their independent reports, and the government has not objected to such reports.

99. Pakistan stated that it is a Muslim country and does not have the concept of Dalit or Scheduled. Pakistan noted that it is free from such kind of prejudices, and the existing norms do not contain discrimination on the basis of caste or creed.

100. In addressing the question of incitement to hatred that reportedly goes on in some mosques, Pakistan stated that these are problems and various governments have tried their best to stop or control them. Religious sentiments run high in Pakistan, and at times, it is difficult to reason. Pakistan indicated its full commitment to reduce and eliminate this matter, which cannot be done with legislation alone, but requires interaction and dialogue, and is committed to doing so.

101. Pakistan stated its indebtedness to NGOs which have allowed governments to become conscious of the issue of honour killings, and have passed legislation in this regard. The issue now is how such legislation will be implemented and breakaway from a patriarchal system that has been in place for a long time. It will take some time. Recognising the issue of female prisoners, Pakistan committed itself to address the issue on priority. It again committed itself to the concept and implementation of the independence of judiciary and to settle the issue of judges as soon as possible.

102. The representative stated that all persons who were evicted from the Lyari expressway have been amply and appropriately compensated. She added that one of the highlights of the programme of building 1 million houses is that the female members of the household will be given ownership of the house, and these homes will be given to those in low income group or those who cannot make it on their own. Interest free loans will also be provided by the government and the purpose is not only to provide shelter and empower women but also to trigger the economy, since housing involves 24 industries.

103. The Permanent Representative of Pakistan added that Pakistan realises the existing challenges which it will try to meet, with domestic resources as well as with the help of the international community. It is in a state of transition; it has recently moved towards full democracy; the writ of the rule of law is being restored and human rights have been mainstreamed. The role of its vibrant civil society and vigilant and interactive media was highlighted in this regard. Pakistan indicated its appreciation for the meeting's keen interest in the human rights situation and for all the

recommendations made, as well as for the candid criticism. It stated that it could not respond to all questions, some of which require more detailed examination by concerned ministries or departments or parliamentary committees.

104. Regarding cooperation with special procedures, Pakistan stated that it has not been sufficiently engaging with them, and that there are some outstanding requests, notably an expression of intent to visit by the High Commissioner, whom Pakistan will welcome. Pakistan added that it cannot decriminalize pre-marital consensual sex. Further, it stated that it is about to accede to the International Convention for the Protection of All Persons from Enforced Disappearances. On the issue of security forces, Pakistan stated that there is no impunity. Security forces are trained in international humanitarian law; there is accountability, as civilian and military courts try these forces, if there are any excesses committed. Pakistan stated that prisons do need reforms. The Minister for Human Rights was very active on this issue in the past, insisting on the need for reform and improvement of conditions. Finally, Pakistan noted that refugees are not being returned, that this is a wrong impression. It has a tripartite agreement with UNHCR and Afghanistan, evidencing a coordinated plan of action and strategy that takes care of the voluntary repatriations.

105. In her concluding remarks Ms. Wahab stated Pakistan's full commitment to promoting and protecting the rights of all its citizens without discrimination being its legal and moral obligation. She acknowledged challenges but expressed resolve and political commitment to overcome them. Touched by the overwhelming participation of Members and Observer States she thanked the participants for suggestions, remarks and recommendations made during the course of the review. She stated that Pakistan attaches the utmost importance to these views and besides giving serious attention to every suggestion made will continue to engage in a constructive manner with all human rights mechanisms.

## II. CONCLUSIONS AND/OR RECOMMENDATIONS

**106. In the course of the discussion, the following recommendations were made to Pakistan:**

- 1. To remove restrictions on freedom of religion or belief and amend legislation that discriminates against persons belonging to minorities (Canada), and effectively protect and satisfy the unimpeded exercise of freedom of religion of non-Muslim citizens (Greece) and the repeal of laws discriminating against non-Muslims, if any (Denmark)**
- 2. To maintain its commitment to overcome barriers associated with deep-rooted tribal and traditional mindsets with regards to women's rights, (Portugal) that further measures be adopted to overcome stereotypes and to reinforce the implementation of constitutional and legal guarantees with a view to ensuring that all human rights of women are safeguarded throughout its territory, (Austria) and ensure punishment for perpetrators of all violence against women and also thoroughly investigate and punish members and leaders of illegal jirgas for their calls to violence against women. (Czech Republic);**
- 3. To continue to spearhead progress toward gender equality and development for women in areas of education and employment. (Algeria);**
- 4. To take concrete steps to align the prohibition of discrimination with the prohibition contained in the Convention on the Elimination of all forms of Discrimination against Women (Slovenia), to follow up on the recommendation of the Committee on the Elimination of Discrimination against Women to withdraw its declaration to the effect that obligations pursuant to CEDAW are subject to the Constitution (Portugal); and undertake a comprehensive review**

- and revision of all discriminatory legislation in order to achieve compliance with its obligations under CEDAW (Germany, United Kingdom);
5. Continue with appropriate measures to eradicate discrimination and violence against women (Mexico, the Philippines, Czech Republic, New Zealand) including domestic violence and to strengthen existing measures to thoroughly investigate crimes related to violence against women (Mexico)
  6. To put an end to inequalities between men and women, including with respect to access to property (Luxembourg);
  7. To do everything possible to prevent early and forced marriage and to recognize in its legislation rape within marriage (Switzerland), and take measures to provide redress for crimes of honour killings, acid attacks and forced marriages (Sweden);
  8. To adopt as a matter of priority further legislative as well as practical measures to raise public awareness about the laws, better train police and other authorities to deal appropriately and effectively with victims of sexual assault and other violence against women, ensure victims' access to justice, and improve support services such as shelters and burn units for women (Czech Republic);
  9. To continue improving the situation of women through "pro-women" policies (Bangladesh);
  10. To systematically and continuously integrate a gender perspective in the follow-up process to the Universal Periodic Review. (Slovenia);
  11. To more effectively address the issues of child abuse, child trafficking, sexual exploitation and involuntary servitude by strict enforcement of national legislation adopted in conformity with relevant international instruments, and through adoption and implementation of a comprehensive action plan to combat these issues, including awareness-raising and education of parents, law enforcement staff and members of the judiciary. (Belgium);
  12. Continue to promote the rights of children, with the hope that the pending Child Protection Bill in Parliament and the Child protection policy being formulated will soon be adopted, (the Philippines), rapidly implement the draft law on the protection of children and speed up the implementation of the 2000 edict for justice for minors (Switzerland);
  13. To implement international human rights obligations within Federally Administered Tribal Areas and refrain from detention that contravenes international standards of due process (Canada);
  14. To re-instate the dismissed members of the judiciary (Canada) and take measures to re-establish an independent judiciary (Canada, Romania), including by establishing strict rules as well as through a clear mechanism of appointment and dismissal of judges (Romania);
  15. To respect the rules on fair trial as diligently as possible (Switzerland)
  16. To restore as soon as possible all fundamental freedoms – as guaranteed by Pakistan's Constitution – that were suspended at the imposition of the state of emergency in November and December last year. This implies reconfirming the independence of the judiciary and cancelling all remaining charges to human rights defenders (Netherlands);

17. To adopt measures to ensure that victims have access to protection and redress, that perpetrators are prosecuted and punished, and that gender sensitivity training be provided to relevant officials (Canada);
18. To take measures to punish reported cases of abuses by national security forces (Sweden);
19. To combat impunity for attacks on human rights defenders by effectively investigating allegations and by prosecuting those responsible (Ireland);
20. To strengthen capacities of its law enforcement agencies in order to meet the challenges of society connected with crimes and incidents which could arise as a result of traditional mentalities (Albania);
21. To review laws and measures to ensure that restrictions imposed on freedom of expression are in conformity with the ICCPR to which Pakistan is signatory (Canada)
22. To effectively address the repressive effect of civil society monitoring procedures and anti-terrorism legislation on the operation of human rights defenders (Ireland), and consider establishing a national policy of protection of human rights defenders, which could focus on a national system for protection of witnesses and human rights defenders. (Brazil);
23. That the Government investigate and prosecute both government officials and other perpetrators for acts against members of the media (Norway);
24. That Pakistan continue its important efforts in fighting terrorism, with adequate support and understanding of the country's constraints from the international community (Algeria);
25. To strictly adhere to international human rights law and international humanitarian law and international refugee law in its fight against terrorism (Mexico)
26. Pakistan's positive reaction in its efforts to confront the humanitarian problem related to the large number of refugees, which could be an example for other countries (Kuwait)
27. To adjust its national laws to the international obligations undertaken (Holy See, Norway, Netherlands, Brazil, Australia), speed up ratification of the ICCPR (Chile, Holy See, Mexico, Switzerland, Norway, Brazil, Denmark), the Convention against Torture (Chile, Mexico, Switzerland, Czech Republic, Brazil, Denmark) and the OP-CAT (Czech Republic), ratify the Rome Statute of the International Criminal Court (Mexico), the International Convention for the Protection of All Persons from Enforced Disappearance (France, Brazil, Mexico) and the 1977 Additional Protocols to the Geneva Conventions (Mexico), and follow through by implementing the commitments and obligations of the ICESCR (Australia)
28. That Pakistan continue efforts to become a party to the seven core human rights treaties (Albania, Italy) and ratify other treaties and protocols which it has not yet ratified (Philippines)
29. That a national commission on human rights be established in accordance with the Paris Principles (United Kingdom, Ireland), in fulfilment of its voluntary pledges (Egypt);

30. To consider issuing a standing invitation to all special procedures of the Human Rights Council (Norway, Czech Republic, Latvia), enable those representatives of special procedures who already requested visits, to conduct them (Czech Republic, Portugal, Mexico, Australia) and step up cooperation with special procedures (Latvia), responding to communications and questionnaires of mandate holders (Mexico) and invite the Special Representative of the Secretary-General on the situation of human rights defenders to conduct an independent visit to Pakistan (Ireland)
31. To take measures to eliminate discrimination against castes and high degree of poverty suffered by castes (Luxembourg) and take specific and targeted measures to effectively prevent discrimination against Scheduled Castes (Denmark);
32. To enhance efforts in the provision of adequate housing and address the identified backlog in this regard (South Africa);
33. To continue to increase substantially spending on health in order to strengthen access to health services and, as such, effective enjoyment by all to the right to health (Luxembourg) ;
34. To take effective measures to allow women, particularly in rural areas, to have access to health services, education, clean water and sanitation (Luxembourg);
35. That Pakistan share its experience in poverty reduction and mitigation of effects of food inflation (Sudan);
36. To take urgent measures to ensure that adequate resources are allocated for education (Finland);
37. To adapt labour legislation and align it with the provisions of ILO conventions (Slovenia) ;
38. That specific measures be adopted by the Government to safeguard the promotion and protection of the human rights of IDPs. (Austria);
39. That civil society be fully involved in the follow-up to the Universal Periodic Review process (United Kingdom) ;
40. To pursue its efforts in the promotion and enhancement of human rights by taking necessary measures to achieve this goal (Oman);
41. Encourage the authorities to spare no effort to meet the challenges of security with the same spirit of solidarity that animated the Pakistani people following the natural disasters of 2005 and 2007. (Senegal);
42. To continue active efforts to de-politicize human rights in the United Nations system, and create conditions for consideration of human rights on basis of equality, mutual respect and dialogue. (Belarus);
43. To pursue this route of promoting and protecting human rights and to be encouraged by the international community, more particularly the Human Rights Council (Tunisia);
44. That achievements in reducing poverty and illiteracy be emulated by other countries (United Arab Emirates).

**107. Pakistan has noted these recommendations for consideration and response in due time. The response of Pakistan will be included in the outcome report to be adopted by the Human Rights Council at its eighth session.**

**108. Pakistan considers that recommendations contained in paragraphs 23(b) and (f), 27(b), 30(b) and (d), 43(c), and 62(b) and (e) in chapter II above are neither universally recognized human rights nor conform to its existing laws, pledges and commitments, and cannot accept them.**

**109. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and /or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.**

**Annex**

**Composition of the delegation \***

The delegation of Pakistan was headed by H.E. Ms. Fauzia WAHAB, Member of the National Assembly, and composed of nine members:

Ms. Mahreen Bhutto, Member of the National Assembly, Pakistan;

Mr. Nawabzada Malik Amad Khan, Member of the National Assembly, Pakistan;

H.E. Ambassador Masood Khan, Permanent Representative of Pakistan to the United Nations;

Mr. Aftab A. Khokher, Counsellor, Permanent Mission of Pakistan, Geneva;

Mr. Marghoob Saleem Butt, First Secretary, Permanent Mission of Pakistan, Geneva;

Mr. Imran Ahmed Siddiqui, Director, Ministry of Foreign Affairs, Pakistan;

Mr. Syed Ali Asad Gillani, First Secretary, Permanent Mission of Pakistan, Geneva;

Mr. Ahmar Ismail, First Secretary, Permanent Mission of Pakistan, Geneva;

Mr. Zahid Ahmed Khan Jatoi, Assistant Director, Ministry of Foreign Affairs, Pakistan.

-----

---

\* Circulated as received